

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)  MERCK-2932								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">In re Application of SCHADT, Oliver et al.</td> </tr> <tr> <td style="padding: 2px;">Application Number 10/511,155</td> <td style="padding: 2px;">Filed October 14, 2004</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For SUBSTITUTED INDOLES</td> </tr> <tr> <td style="padding: 2px;">Group Art Unit 1626</td> <td style="padding: 2px;">Examiner Nyeemah Grazier</td> </tr> </table>			In re Application of SCHADT, Oliver et al.		Application Number 10/511,155	Filed October 14, 2004	For SUBSTITUTED INDOLES		Group Art Unit 1626	Examiner Nyeemah Grazier
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<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, <u>01/19/2007</u>, rejecting the following claims: <u>1-4, 5-7, 9-16 and 21</u>.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <span style="float: right;">\$ <u>500.00</u></span></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <span style="float: right;">\$ _____.</span></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> Payment by credit card via EFS.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>13-3402</u>.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the _____ /Harry B. Shubin/</p> <p><input type="checkbox"/> applicant/inventor. <span style="float: right;">Signature</span></p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.</p> <p><input checked="" type="checkbox"/> attorney or agent of record. <span style="float: right;">Harry B. Shubin, Reg. No. 32,004</span></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). <span style="float: right;">Typed or printed name</span> Registration number if acting under 37 CFR 1.34(a) _____.</p> <p style="text-align: right;"><u>June 19, 2007</u> Date</p>										
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>										
<p><input checked="" type="checkbox"/> *Total of 2 forms are submitted.</p>										

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450